

FEDERAL BUREAU OF INVESTIGATION

SURREPTITIOUS ENTRIES

(JUNE MAIL-SERIALS X41-X70)

PART 6 OF 23

FILE NUMBER: 62-117-166

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	Referrals to other
2	Government agencies: OFT. OF JUSTICE, OFFICE
	- THEROMETON AND PAIN
77	INFORMATION AND PRIV. DEPT. OF JUSTICE, CIVIL RIGHTS DIVISION
	RICHTS NUSON
	Other:
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Requester	_ Subject FILE #62-117166
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URGENT

CODE

TO NEW YORK

OCTOBER 15, 1975

FROM DIRECTOR

JUNE

request of attorney general for information concerni SURPEPTITIOUS ENTRIES

REBUTEL OCTOBER 2, 1975.

REFERENCED COMMUNICATION ADVISED OF REQUEST OF ASSISTANT ATTORNEY GENERAL J. STANLEY POTTINGER, CIVIL RIGHTS DIVISION, INFORMATION CONCERNING SURREPTITIOUS ENTRIES CONDUCTED FOR STALLATION OF MICROPHONE SURVEILLANCE, AND FEASIBILITY SURVEYS.

FOLLOWING ARE MATTERS WITHIN YOUR DIVISION, IN ADDITION TO THOSE SET FORTH IN REFERENCED COMMUNICATION, WHEREIN AUTHORIZED MICROPHONE INSTALLATIONS EFFECTED. WHERE INFORMATION AVAILABLE YOU SHOULD RESPOND TO THE FOLLOWING

4/17/10

SEE NOTE PAGE THREE

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MAIL ROOM

TELETYPE UNIT

FEDERAL BUNEAU OF INVESTIGATION COMMUNICATIONS SECTION

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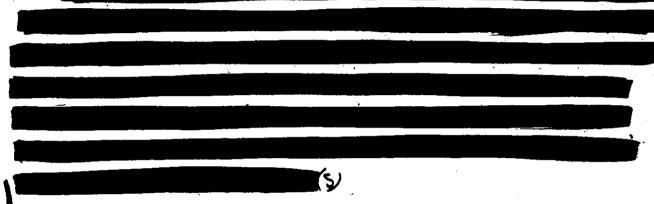
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GPO : 1975 O - 569-93

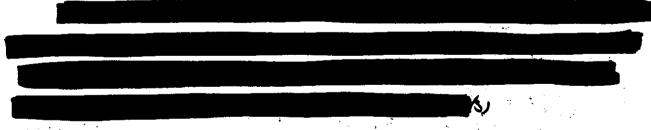
PAGE TWO

TOP SECRET

IF SURVEY WITH ENTRY CONDUCTED, NEW YORK ADVISE THE SPECIFIC DATE OF SURVEY, AND FURNISH IDENTITIES OF SPECIAL AGENT PERSONNEL TAKING PART IN THE ENTRY.



IF SURVEY WITH ENTRY CONDUCTED, NEW YORK FURNISH INFORMATION AS TO IDENTITIES OF NEW YORK SUPERVISOR AND HIGHEST OFFICE
AUTHORITY RECOMMENDING SURVEY TO FBIHQ; IDENTITY OF FBIHQ
APPROVING AUTHORITY, IF KNOWN; AND IDENTITIES OF SPECIAL AGENT
PERSONNEL TAKING PART IN THE ENTRY.

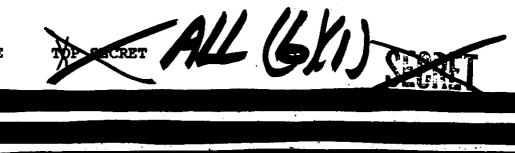


IF SURVEY WITH ENTRY CONDUCTED, NEW YORK FURNISH INFOR-MATION REQUESTED IN \$2, ABOVE, AS IT PERTAINS TO MATTER.





PAGE THREE



IF SURVEY WITH ENTRY CONDUCTED, NEW YORK ADVISE DATE OF SURVEY; NEW YORK SUPERVISOR AND HIGHEST OFFICE AUTHORITY RECOMMENDING SURVEY TO FBIHQ; FBIHQ AUTHORITY WHO APPROVED SURVEY;
AND IDENTITIES OF SPECIAL AGENT PERSONNEL TAKING PART IN THE
ENTRY. IN ADDITION, ADVISE IF PREMISES WHERE INSTALLATION
MADE WAS LEASED, IF KNOWN, PRIOR TO THE ENTRY FOR SURVEY.

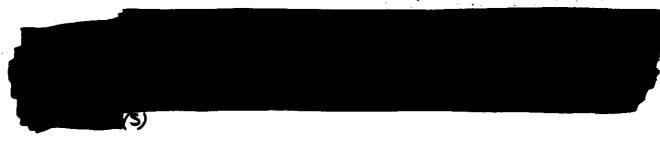
WITH RESPECT TO THE ABOVE MATTERS, WHERE NO ENTRY CON-DUCTED IN CONNECTION WITH SURVEYS, NEW YORK SO ADVISE FBIHQ AND DISREGARD QUESTIONS AS TO IDENTITIES.

SUTEL RESULTS INTD, ATTENTION: 18-3.

CLASSIFIED BY 5736, XGDS 2 AND 3, INDEFINITE.

END

NOTE:





1 - Mr. W. R. Wannall - Mr. F. J. Cassidy

CODE

TO WFO

OCTOBER 15, 1975

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~ **;** ~ **]**

FROM DIRECTOR

JUNE

Declaratly on: OADD

TPPRET

REQUEST OF ATTORNEY GENERAL FOR INFORMATION CONCERNING

ON AUGUST 19, 1975, J. STANLEY POTTINGER, ASSISTANT
ATTORNEY GENERAL, CIVIL RIGHTS DIVISION, REQUESTED THE BUREAU
PROVIDE INFORMATION CONCERNING SURREPTITIOUS ENTRIES CONDUCTED
BY THE PBI SINCE JANUARY 1, 1966. INFORMATION CONCERNING
ENTRY FOR INSTALLATION OF AUTHORIZED MICROPHONE SURVEILLANCE
AS WELL AS ENTRY FOR SURVEY TO DETERMINE FEASIBILITY OF
MICROPHONE INSTALLATION HAS BEEN REQUESTED.

ROUTE IN ENVELOPE OCT 17 1975

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Dop. AD Adm.
Dop. AD Inv.

Asset. Dir.:

Admin.
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Ent. Affeirs

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Ent. Affeirs

COMMUNICATIONS SECTION

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Later of Service

Communication

Comp. Syst.

Comp. Syst.

Later of Service

Communication

Comp. Syst.

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MAIL ROOM TELETYPE UNIT

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEP WHERE SHOWN OTHERWISE.

> . GPO : 1975 O + 569

PAGE 2 TOP RET ALL (6)

IF SURVEY WITH ENTRY CONDUCTED, WASHINGTON FIELD FURNISH
INFORMATION AS TO DATE OF SURVEY; IDENTITIES OF WASHINGTON
FIELD SUPERVISOR AND HIGHEST OFFICE AUTHORITY RECOMMENDING
SURVEY TO FBIHQ; FBIHQ AUTHORITY APPROVING SURVEY; AND
IDENTITIES OF SPECIAL AGENT PERSONNEL TAKING PART IN THE ENTRY.



IF SURVEY WITH ENTRY CONDUCTED, WASHINGTON FIELD FURNISH INFORMATION AS TO DATE OF SURVEY; IDENTITIES OF WASHINGTON FIELD SUPERVISOR AND HIGHEST OFFICE AUTHORITY RECOMMENDING SURVEY TO FBIHQ; FBIHQ AUTHORITY APPROVING SURVEY; AND IDENTITIES OF SPECIAL AGENT PERSONNEL TAKING PART IN THE ENTRY.



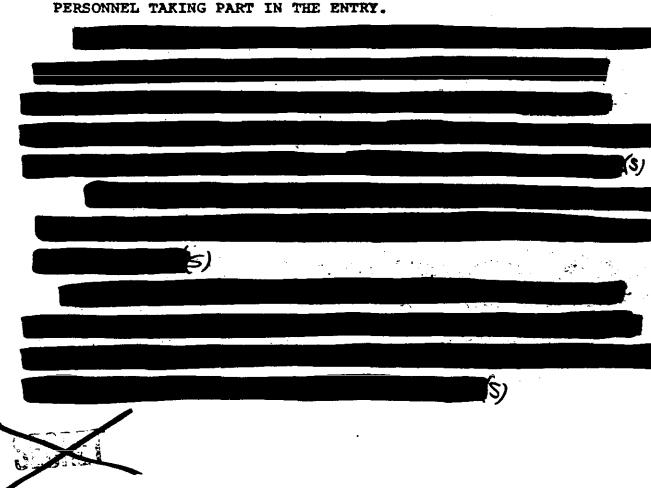
IF SURVEY WITH ENTRY CONDUCTED, WASHINGTON FIELD FURNISH INFORMATION AS TO DATE OF SURVEY; IDENTITIES OF WASHINGTON FIELD SUPERVISOR AND HIGHEST OFFICE AUTHORITY RECOMMENDING SURVEY TO FBIHQ; AND IDENTITIES OF SPECIAL AGENT PERSONNEL TAKED PART IN THE ENTRY.

PAGE 3 TO SEET ALL (G)(1)

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IF SURVEY WITH ENTRY CONDUCTED, WASHINGTON FIELD FURNISH INFORMATION AS TO DATE OF SURVEY; IF SURVEY PRIOR OR SUB-SEQUENT TO LEASING/OCCUPANCY OF TARGET GROUP; IDENTITIES OF WASHINGTON FIELD SUPERVISOR AND HIGHEST OFFICE AUTHORITY RECOMMENDING SURVEY TO FBIHQ; AND IDENTITIES OF SPECIAL AGENT

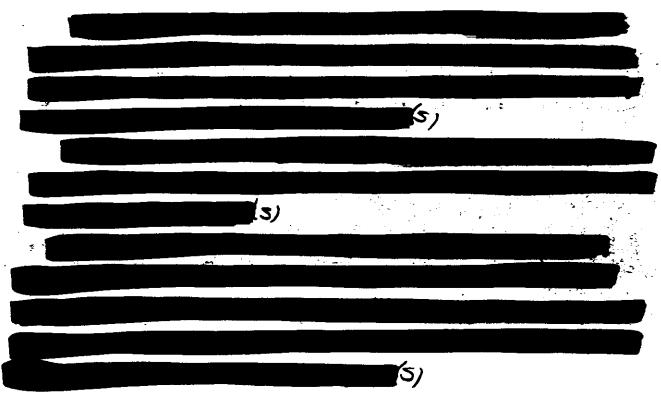


PAGE 4 TOP CRET ALL (6)(1)

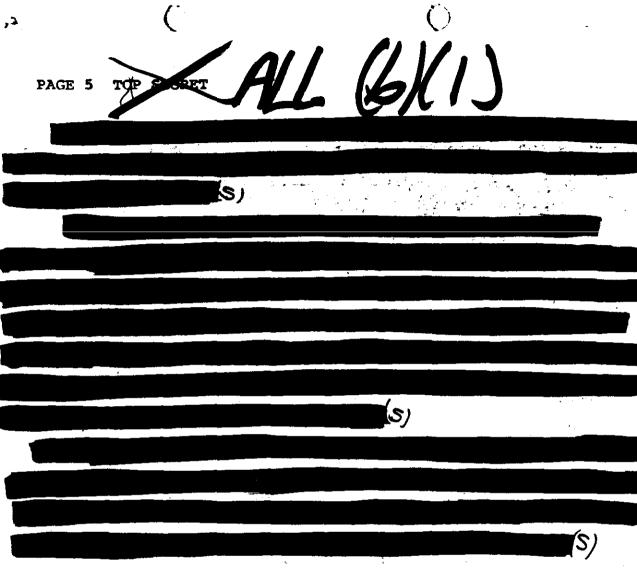
IF SURVEY WITH ENTRY CONDUCTED, WASHINGTON FIELD FURNISH INFORMATION REQUESTED FOR \$4, ABOVE, AS IT PERTAINS TO THIS INSTALLATION.

S

IF SURVEY WITH ENTRY CONDUCTED, WASHINGTON FIELD FURNISH INFORMATION AS TO DATE OF SURVEY; IDENTITIES OF WASHINGTON FIELD SUPERVISOR AND HIGHEST OFFICE AUTHORITY RECOMMENDING SURVEY TO FBIHQ; FBIHQ AUTHORITY APPROVING SURVEY; AND IDENTITIES OF SPECIAL AGENT PERSONNEL TAKING PART IN THE ENTRY.







WITH RESPECT TO MATTERS #1 - #10, ABOVE, IF NO SURVEY OR SURVEY WITHOUT ENTRY CONDUCTED WASHINGTON FIELD SO ADVISE AND DISREGARD QUESTIONS AS TO IDENTITIES.

THE DEPARTMENT HAS INDICATED IT MAY WISH TO REVIEW PERT-INENT FILES AND CONDUCT SELECTED PERSONNEL INTERVIEWS IN CONNECTION WITH SURREPTITIOUS ENTRIES CONDUCTED BY THE FBI.

IN VIEW OF A DEPARTMENTAL REQUEST THAT THE DESIRED

INFORMATION BE FURNISHED AT THE EARLIEST POSSIBLE DATE

WASHINGTON FIELD SHOULD GIVE THIS MATTER PREFERRED ATTENTION.

SUTEL RESULTS INTD, ATTENTION: IS-3.

CLASSIFIED BY 5736, XGDS 2 AND 3, INDEFINITE.

END



NOTE:

In connection with Departmental request of \$/19/75, for information regarding surreptitious entries conducted by FBI since 1/1/66, Washington Field is being requested to furnish details of survey activity in ten investigative matters.





ALL CHTICES

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. F. J. Casaida

Texton one

Assistant Attorney General Civil Rights Division

October 16, 1975

GPO: 1975 O - 349-9

Director, FBI

JUNE

SURREPTITIOUS ENTRIES

Reference is made to your letter of August 19, 1975, in which you requested information concerning surreptitious entries conducted by the FBI since January 1, 1966.

Enclosed is the original and one copy of a memorandum dated October 16, 1975, listing surreptitious entries since January 1, 1966, in connection with the installation of authorized microphone surveillance.

You will note that in Category 8, relating to the identity of personnel recommending, approving, and participating in an entry, we have not furnished the identities of personnel. All entries cited in the enclosure were conducted pursuant to an authorization by the Attorney General for microphone surveillance. We believe that the information which we have furnished with respect to this question will permit a general preliminary assessment of the propriety of these activities. Should you later require the identities of participating personnel to fully evaluate specific cases, we will, of course, provide such data to you.

A separate memorandum, relating to entries conducted to survey the feasibility of microphone installation and installation prior to authority of the Attorney General, is being prepared and will include, where available, the identities of personnel involved.

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Letter to Assistant Attorney General Re: Surreptitious Entries

NOTE:

Reference \$/19/75 memorandum J. Stanley Pottinger, AAG, Civil Rights Division, requesting information regarding surreptitious entries conducted by the FBI since 1/1/66. Enclosed is memorandum detailing entries for authorized microphone installation. Information as to identities of personnel involved is not being furnished at this time. All entries were conducted pursuant to AG authority and we believe data furnished herein will permit a preliminary assessment by the Department as to propriety of the activities. If required, identities will be furnished to the Department. We have previously furnished information concerning entries in the foreign counterintelligence field and in criminal investigations.

ALL GHTKO)

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. F. J. Cassidy

October 16, 1975

SURREPTITIOUS ENTRIES

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Declassify on: OADA

Reference is made to the August 19, 1975, letter of J. Stanley Pottinger, Assistant Attorney General, Civil Rights Division, to Clarence M. Kelley, Director, FBI, wherein Mr. Pottinger requested certain information concerning surreptitious entries conducted by the FBI since January 1, 1966.

Mr. Pottinger requested the following information regarding surreptitious entries:

. The date of the entry.

2. The location and nature of the premises entered.

3. The identity of the person whose premises were entered as well as pertinent information about the person.

 Any organization or group, if any, which was the target of the investigation in which the entry occurred.

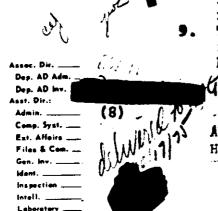
5. The specific purpose of the surreptitious entry.

The nature of the information and materials obtained.

7. The identity of any other organization, governmental or private, that prompted the entry, or participated in the planning or execution of the entry.

The identity of all FBI personnel who took part in the entries, and any person who approved or recommended such an entry.

The identification number of the case file(s) from which information about the entries may be obtained.



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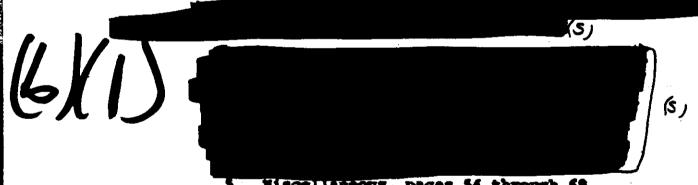
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UZSE SHOWN OTHERWISE. O 2Classified by 5/36
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Date of Declassification. Indefin

MAIL ROOM [



Surreptitious Entries

The FRI has conducted surreptitious entries in connection with the installation of authorized electronic surveillance. When a Special Agent in Charge (SAC) of a field office considers electronic surveillance necessary to the conduct of an investigation, a recommendation is made to FBI Headquarters (FRING) for use of this technique. On concurrence of FRING, the request for authority to install the surveillance is referred to the Attorney General. If authorized by the Attorney General, the field office is so advised and instructed by FBIHQ to install the electronic device, report to FBING the date and time of activation of the device, and justify at a specified interval the meed for continuation of the surveillance. When the surveillance is discontinued, FBINQ is notified of this action as is the Attorney General.







4	Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.
×	Deleted under exemption(s) with no segregable material available for release to you.
	Information pertained only to a third party with no reference to you or the subject of your request.
	Information pertained only to a third party. Your name is listed in the title only.
	Document(s) originating with the following government agency(ies), was/were forwarded to them for direct response to you.
	Page(s) referred for consultation to the following government agency(ies); as the information originated with them. You will be advised of availability upon return of the material to the FBI.
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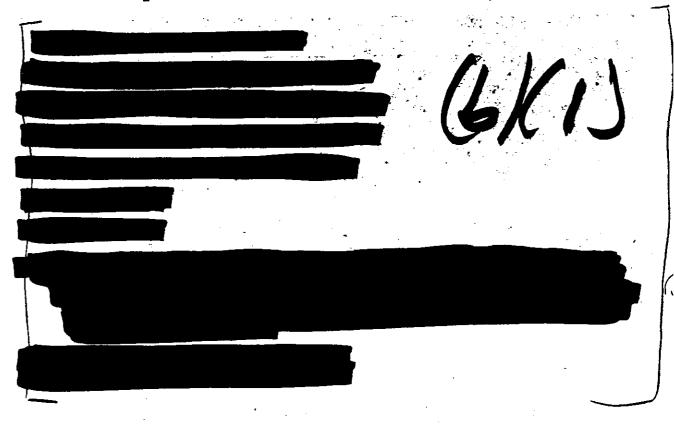
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Do: Surreptitious Entries

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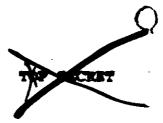
*YBING file indicates survey conducted at same time as installation. The file further indicates that targeted individual did not register at hotel or occupy premises where installation made.

TOP SECRET



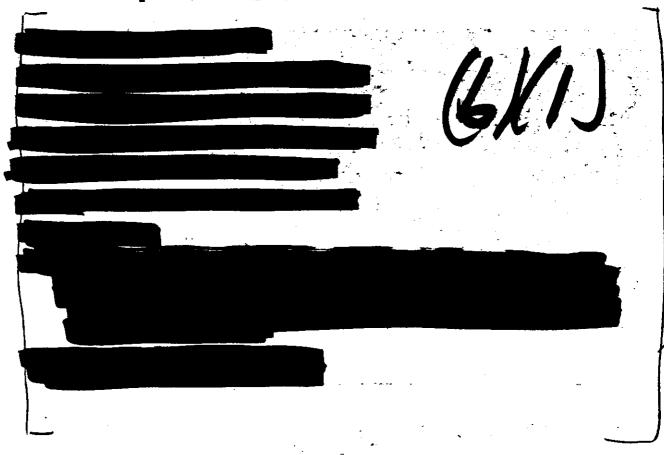
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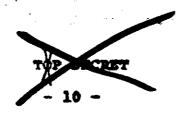


Re: Surreptitions Entries

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*FBING file indicates no survey conducted.



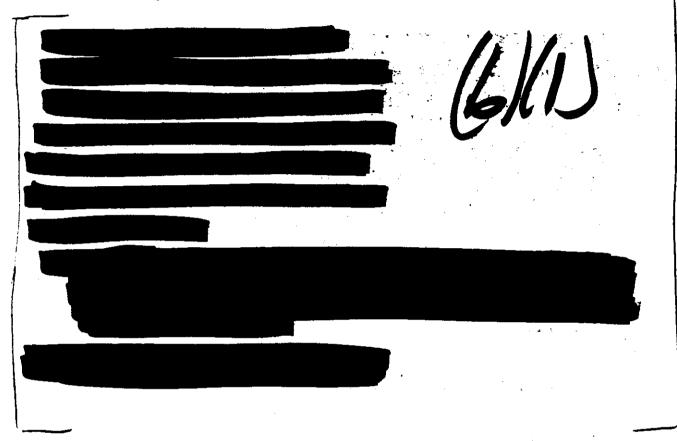


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TO SECRET

Re: Surreptitious Entries



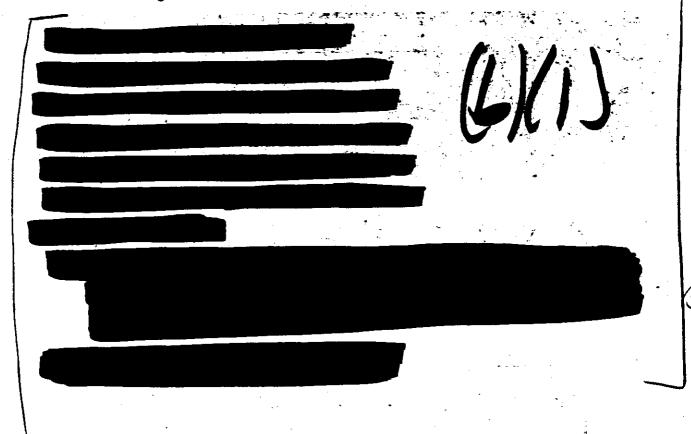
 PBIRQ file indicated survey conducted at same time as installation.

TOP SECRET

THE CRET

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Re: Surreptitious Entries



e PRING file indicates survey conducted at same time as installation.



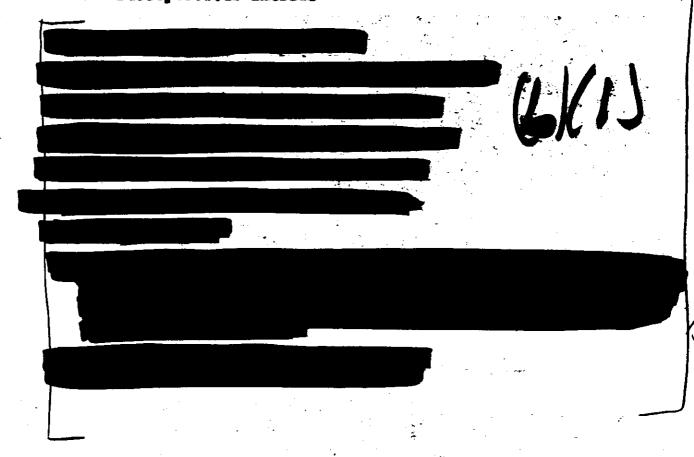


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Re: Surreptitious Entries

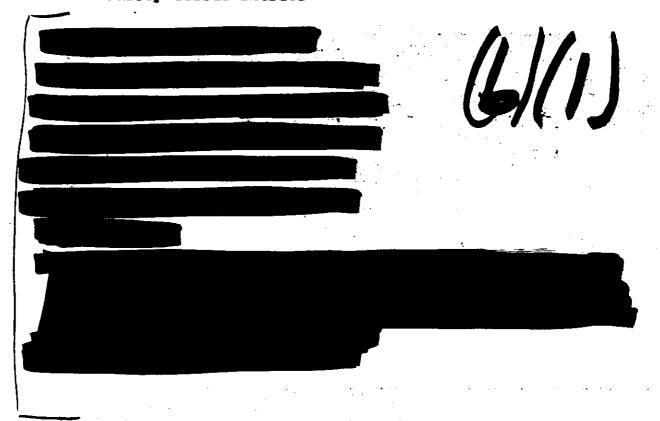


*Approval for survey granted at same time as approval for installation. FRING file indicates survey conducted on same date as installation.



THE CASE

Re: Surreptitious Entries



*FBING file indicates no survey conducted.





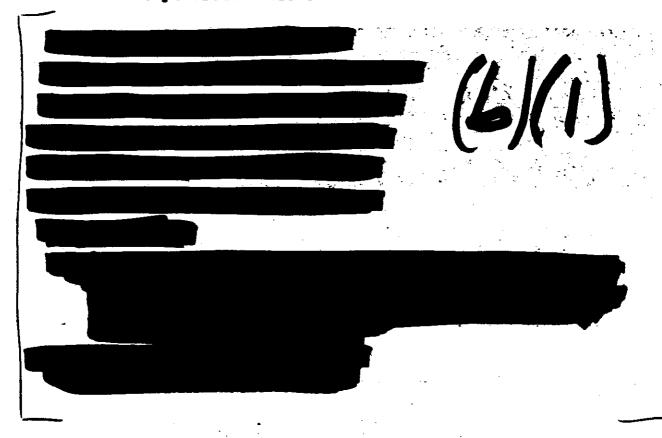
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THE CRET

Re: Surreptitious Entries

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*FBING file indicates approval granted for survey and installation, if feasible, at same time.



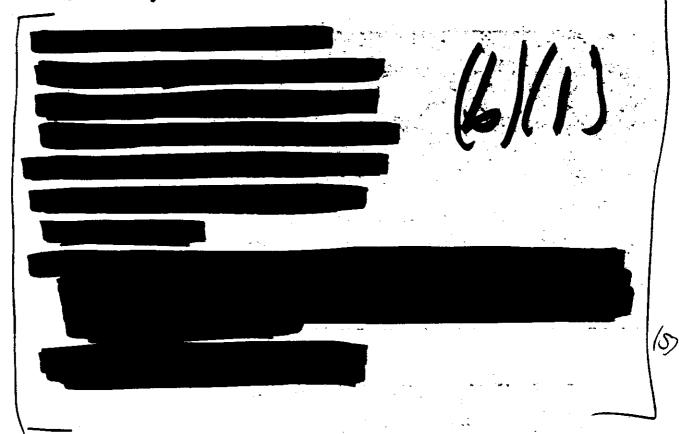


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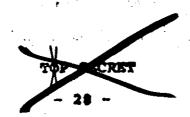
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Re: Surreptitious Entries

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*FRING file indicates survey conducted on same date as installation.



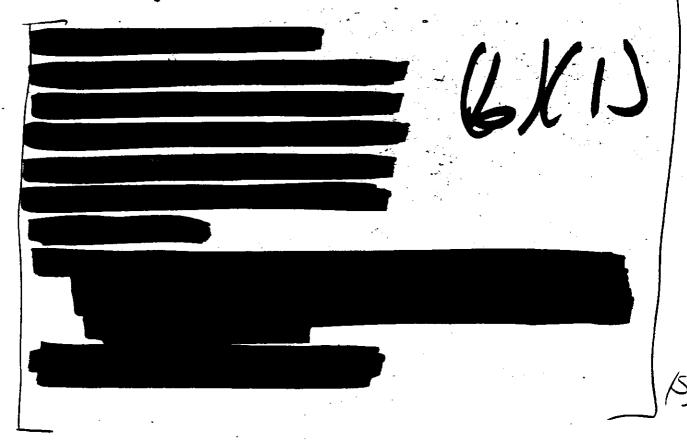


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Re: Surreptitious Entries



FRIMO file indicated survey not conducted on target automobile.





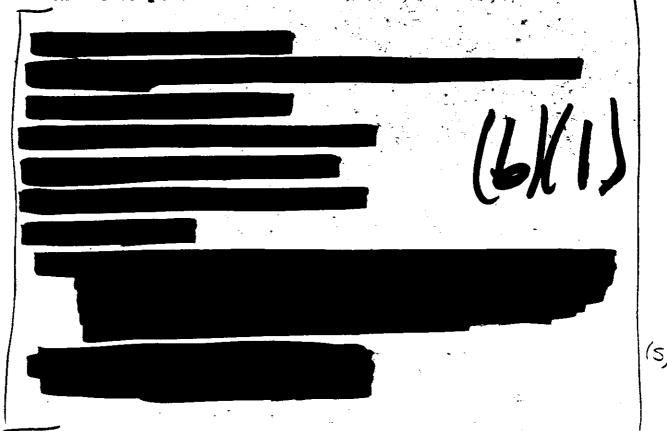
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No: Surreptitious Entries

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ophing file indicates that survey was conducted at the same time as installation.



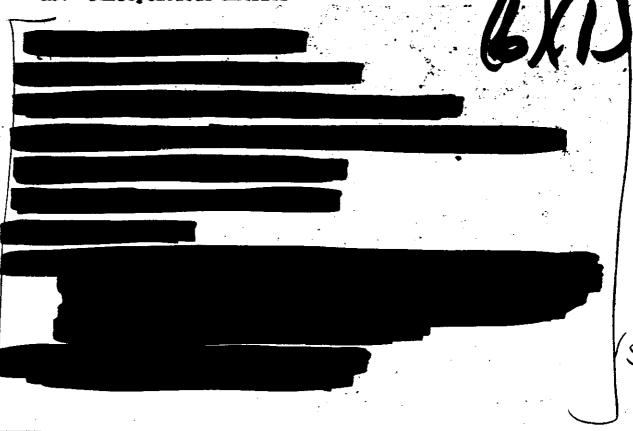


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THE CHAT

Re: Surreptitious Entries



*FRING file indicates survey conducted at same time as installation.

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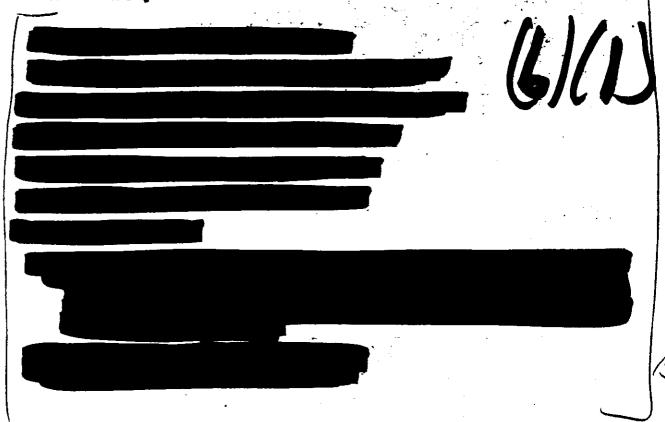


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TO THE

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Re: Surreptitious Entries



* Survey and installation at same time.





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 $\begin{array}{c} XXXXXX\\ XXXXXX\\ XXXXXX \end{array}$



- 1. September 15, 1969
- Residence in Chicago, Illinois
- 3. Student based group of New Left movement
- 4. Students for a Demogratic Society
- 5. Microphone installation
- 6. Conversations of occupants
- 7. Mone
- 8. Recommended by Chicago Office and with concurrence of FBIHQ referred to Attorney General who authorized the installation on September 3, 1969. Chicago Office advised by FBIHQ of authorization, and approval granted for installation.
- 9. FBIRQ file: 100-439048 Chicago file: 100-47094

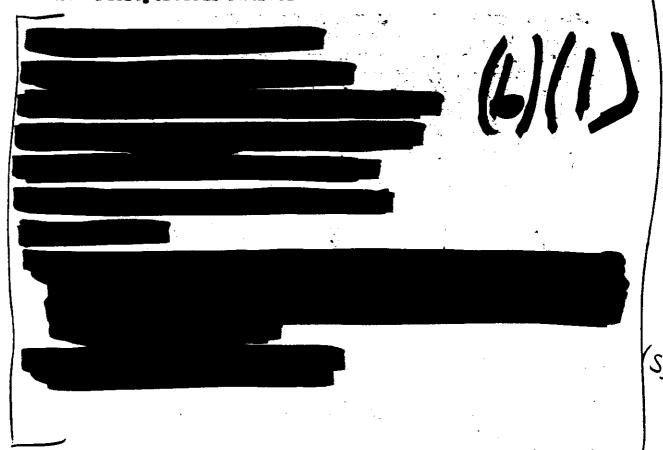




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* FBIRQ file indicates survey conducted on same date as installation.



707 SECRET

No: Surreptitious Entries

- 1. December 22, 1970
- 2. Residence in Oakland, California
- 3. Black extremist group functionary
- 4. Black Panther Party
- 5. Microphone installation
- 6. Conversations of occupant
- 7. Hone
- 8. Recommended by San Francisco Office and with concurrence of FBIHQ referred to Attorney General who authorized the installation on November 26, 1970. San Francisco Office advised by FBIHQ of authorisation, and approval granted for installation.
- 9. FRIEQ file: 105-165706 San Francisco file: 157-1203

- 1. December 16, 1971
- 2. Residence in New York City
- 3. Suspected perticipent in Weather Underground support apparatus
- 4. Weathernen
- 5. Microphone installation*
- 6. Conversations of occupant
- 7. None

- 8. Recommend by New York Office and with concurrence of FBIRQ referred to Attorney General who authorized the installation on December 6, 1971. New York Office advised by FBIRQ of authorization, and approval granted for installation.
- 9. PBING file: 100-457986 Wew York file: 100-165434

*FRIEQ file indicates survey conducted at same time as installation.

- 1. January 18, 1972
- 2. Automobile in Chicago, Illinois
- 3. Suspected participant in Weather Underground support apparatus
- 4. Weatherman
- 5. Microphone Installation
- 6. Conversations of occupant
- 7. None
- 8. Recommended by Chicago Office and with concurrence of FRIEQ referred to Attorney General who authorized the installation on December 8, 1971. Chicago Office advised by FRIEQ of authorization, and approval granted for installation.
- 9. WBIRQ file: 100-459597 Chicago file: 100-49663

10 P PERSON - 61 -



- 1. March 23, 1972
- 2. Residence in New York City
- 3. Occupant involved in Weather Underground support apparatu
- 4. Westherman
- 5. Microphone installation
- 6. Conversations of compant
- 7. Hone
- 8. Recommended by New York Office and with concurrence of FBIEQ referred to Acting Attorney General who authorized the installation on March 21, 1972. New York Office advised by FBIEQ of authorization, and approval granted for installation.
- 9. FRING file: 100-454261 New York file: 100-171161

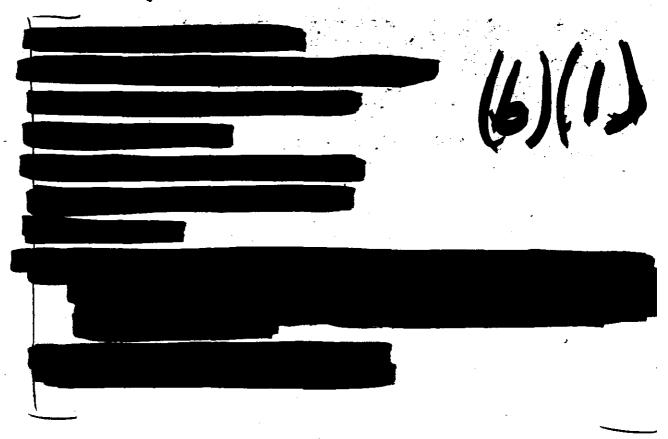


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Re: Surreptitious Entries



*FBIRQ file indicates survey conducted at same time as installation.

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URGENT

CODE 137 TO PITTSBURGH (66-2463) **OCTOBER 16, 1975** FROM DIRECTOR (66-8160) JUNE REQUEST OF ATTORNEY GENERAL FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES. JU. 3754 Der. 3765 REBUTEL OCTOBER 1, 1975; PITTSBURGH TELETYPE OCTOBER 3, 1975. Herenies elemastried except TIL Caliminics. PITTSBURGH FURNISH DATES OF ENTRY IN ABOVE TWO MATTERS. SUTEL RESULTS INTD, ATTENTION:

Dee. AD Inv. ... Annt. Die.: Classified "Secret" since unauthorized disclosure would jeopardize sensitive sources and methods. Referenced Comp. Syst. _ Pittsburgh teletype did not include dates of entry for surveys. Pittsburgh is being asked to furnish same. Est. Affairs _ Files & Com. __ Plen. & Evel. .

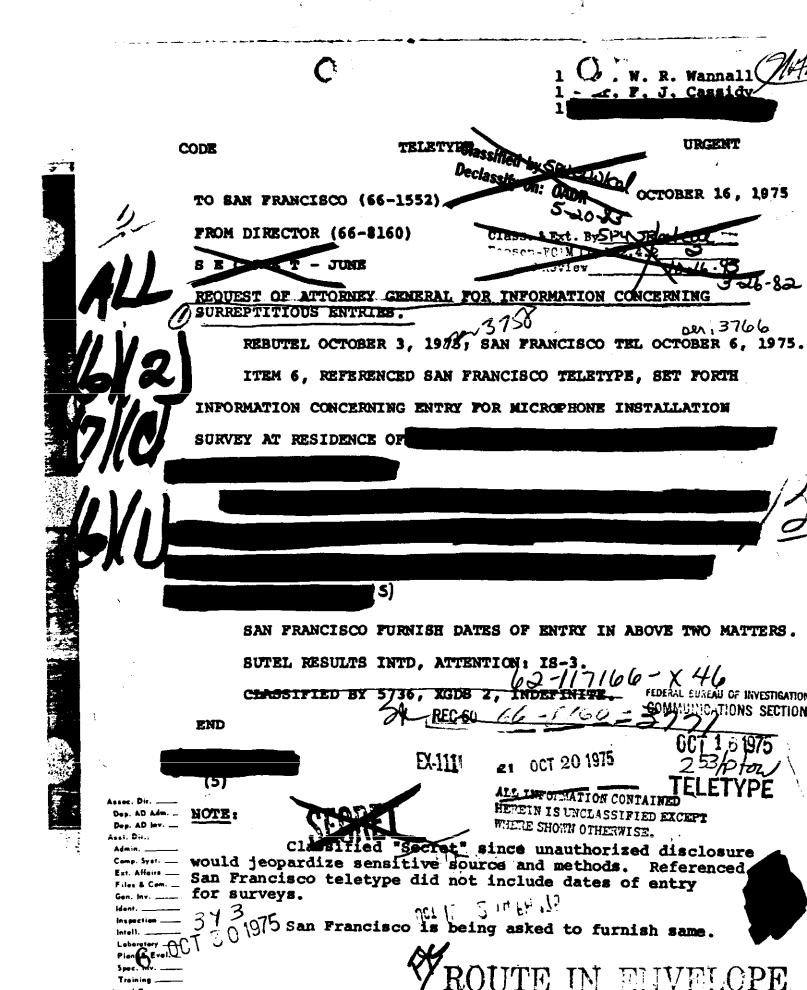
OCT 20 1975

Training Legal Could have kin MAIL ROOM Director Sec'y

END

TELETYPE UNIT

COMMUNICATIONS SECTION



C. COLI

FEDERAL BUREAU OF INVESTIGATION COMMUNICATIONS SECTION

OCT 1 6 1975

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WHERE SHOWN OTHERWISE.

Assoc. Dir. Dep.-A.D.-Adm Dep.-A.D.-Inv. Asst. Dir.: Admin. Comp. Syst. Ext. Affairs Files & Com. Gen. Inv. Ident. Inspection Intell Laboratory Plan. & Eval. Spec. Inv. . Training Legal Coun. Telephone Rm. Director Suc'y

affin

NR 021 SF CODE

8:13 PM NITEL 10/16/75 MCC

TO DIRECTOR (66-8160)

FROM SAN FRANCISCO (66-1552)

ATTN INTO, ISB.

REQUEST OF ATROHNEY GENERAL FOR INFORMATION CONCERNING -x47

OSURREPTITIOUS ENTRIES. FX.11. PEOCO (1)

RE BUREAU TELETYPE TO SAN FRANCISCO, OCTOBER 16, 197

ITEM SIX, CONCERNING ENTRY FOR MICROPHONE INSTALLATIONCLESS!

SURVEY AT RESIDENCE OF HUEY P. NEWTON, DATE OF SURVEY NOVEMBER 18,

1970, CONDUCTED BY SA

21 0CJ 20 1975

B)

CLASSIFIED BY 5470; XGDS TWO AND THREE; INDEFINITE.

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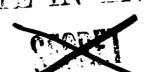
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Date of Review 10 195 9-24-7

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SPEQUEATE RM.

FEDERAL BUREAU OF INVESTIGATION COMMUNICATIONS SECTION OCT 2.6-1975 PG CODE 3:32 PM URSENT OCTOBER 28, 1975 CAK -director (66-8168) FROM: PITTSBURGH (66-2463)

(

Training Leval Coun Telephone Rm. Director Sec'y

REQUEST OF ATTORNEY GENERAL FOR INFORMATION CONCERNI

Surrept it lous entries.

REBUTEL DATED OCTOBER

7CT 23 1975

Assoc frir Dep.-A.D.-Adm. Dep -A.D.-Inv. Asst Dir.: Admin.

Comp Syst

Ext. Affairs Files & Com Gen. Inv.

Ident. Inspection Laboratory Plan & Eval

Spec. Inv.

(5)

CLASSIFIED BY 5575, EXGDS 2, INDEFINITE

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ROUTE IN

seoc. Dir. FEDERAL BUREAU OF INVESTIGATION Dep.-A.D.-Ad SOMMUNICATIONS SECTION Dep.-A.D.-Inv. Asst. Dir.: Admin. ટ વ 1975 Comp. Syst. Ext. Affairs Files & Com Gen. Inv. Mrss3 my code Ident. Inspection 2135 PM URGENT 162975 TJV Intell. Laborator Plan. & Eval Spec. lnv. Training EW YORK (66-8174) Legal Coun. Telephone Rm. Director Secty ATTHE INT D. ´ IS-J REQUEST OF ATTORNEY GENERAL FOR INFORMATION CONCERNING Z_{SURNEPT IT IOUS} ENTRIES. Classified by MADR Declassify RE BUREAU TELETYPE OCTOBER 15, 1975. CONCERNING NUMBER ONE, A REVIEW OF PERTINENT FILES AND OTHER RECORDS FAILED TO DISCLOSE THAT AN ENTRY WAS MADE DURING MISUR SURVEY. DET 23 1975 REC. MAULEM. ALL INFORMATION CONTAINED TOTALIS UNCLASSIFIED EXCEPT INE SHOWN OTHERWISE. Ext. By SPY VKM

PAGE TWO NY 66-8179



REGARDING NUMBER THREE, NEW YORK FILE DISCLOSES THAT

NEW YORK NITEL DATED SEPTEMBER 19, 1975, RECOMMENDED SURVEY.

NITEL INITIALED BY

BUREAU AIRTEL

OF SEPTEMBER 26, 1972 AUTHORIZED SURVEY BUT IDENTITY OF

APPROVING AUTHORITY NOT SHOWN. IDENTITY OF NEW YORK

PERSONNEL TAKING PART IN ENTRY NOT SHOWN IN NEW YORK FILE.
REGARDING NUMBER FOUR, NEW YORK FILE DOES NOT INDICATE

CLASSIFIED BY 2781; XGDS 2 AND 3; INDEFINITE.

END.

AJN FBIHQ CLR TU

ANY SURVEY MADE.



J. B. Adams Mr. J. A. Mintz 6/17/101 W. R. Wannall Assistant Attorney General October 23, 197 Civil Rights Division Director, FBI SURREPTITIOUS ENTRIES Reference is made to your letter of August 1975, in which you requested information concerning surreptitious entries conducted by the FBI since January 1, 1966. Enclosed is the original and one copy of a memorandum dated October 23, 1975, outlining surreptitious entries conducted by the FBI against domestic targets. The targets have been placed into two categories; namely, domestic sub-APPROPRIATE AGENCIES AND FIELD OFFICES versive and white hate groups. As requested by you, entries which took place since January 1, 1966, have been set forth in detail NALL INFORMATION CONTAINED WINTEREIN IS UNCLASSIFIED MOEPT WHERE SHOWN Enclosures 62-117166-X50 ROUTING SLIP ON NOTE: por are marked Reference is made to 8/19/75 memorandum of J. Stanley Pottinger, AAG, Civil Rights Division, requesting information re surreptitious entries conducted by FBI since 1/1/66. Enclosed is memorandum listing entries conducted against domestic targets since 1/1/66. Information re entries comes from recent GAO audit of Internal Security Division, New York Office, and recollection of Agent personnel at FBIHQ who have knowledge. of such activities. AAG Pottinger has been furnished previously memoranda concerning entries conducted in Assec. Dir. the foreign counterintelligence and criminal areas, and Day, AD Adm. . is being furnished memoranda dealing with entries for Dee. AD lev. __ Asst. Die.: microphone installation and surveys for microphone installation Comp. Syst. _ Ext. Affairs NOV 4 1975 TELETYPE UNIT MAIL ROOM

(4/17/1CC)

- Mr. W. R. Wannall

JUNE

October 23, 1975

SURREPTITIOUS ENTRIE



Reference is made to the August 19, 1975, letter of J. Stanley Pottinger, Assistant Attorney General, Civil Rights Division, to Clarence M. Kelley, Director, PBI, wherein Mr. Pottinger requested certain information comcerning surreptitious entries conducted by the FBI since January 1, 1966.

Mr. Pottinger requested the following information regarding surreptitious entries:

- The date of the entry.
- The location and mature of the premises entered.
- The identity of the person whose premises were entered as well as pertinent information about the person.
- Any organization or group, if any, which was the target of the investigation in which the entry occurred.
- The specific purpose of the surreptitious entry.
- The nature of the information and materials obtained.
- 7. The identity of any other organization, governmental or private, that prompted the entry, or participated in the planning or execution of the entry.
- 8. The identity of all FBI personnel who took part in the entries, and any person who approved or recommended such an entry.

The identification number of the case file(s) from which information about the entries may be obtained.

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED ENGERT WHERE SHOWN

CIHERWISE.

ORIGINAL AND ONE COPY TO ASSISTANT A CIVIL RIGHTS DIVISION

GPO: 1975 O - 549-920

ENCLOSURE

Dep. AD Inv. Acat. Die.: Est. Affairs Files & Com. _ ldent. __ Inspection Intell. Laboratory Plan. & Eval. _ Spac. Inv. _ Training ... Legal Caux. Telephone Rm. __ Director Sec'y

- 3-1

MAIL ROOM [___]

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From 1942 to April, 1968, surreptitious entry was utilized by the FBI on a highly selective basis in the conduct of certain investigations. Available records and recollection of Special Agents at FBI Beadquarters (FBIRQ) identify the targets of surreptitious entries as domestic subversive and white hate enough

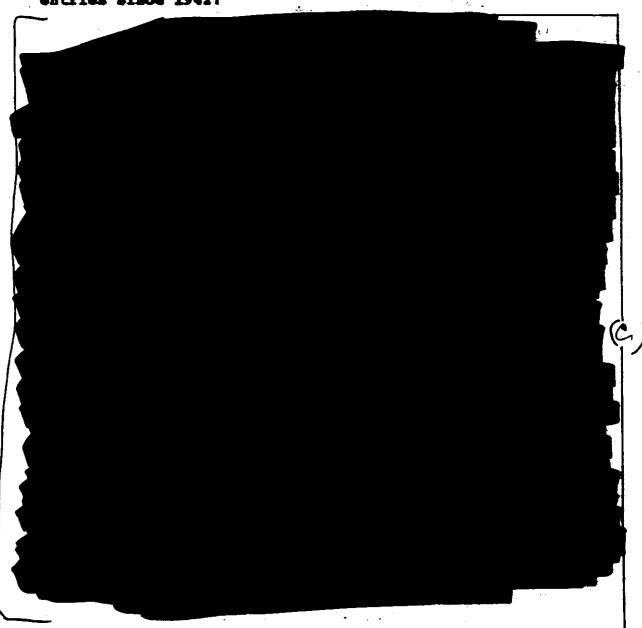
When a Special Agent in Charge (SAC) of a field office considered surreptitious entry necessary to the conduct of an investigation, he would make his request to the appropriate Assistant Director at FBIRQ, justifying the need for an entry and assuring it could be accomplished safely with full security. A memorandum outlining the facts of the request was prepared for approval of Mr. Hoover, or Mr. Tolson, the Associate Director. Subsequently, the memorandum was filed in the Assistant Director's effice under a "Do Not File" procedure, and thereafter destroyed.

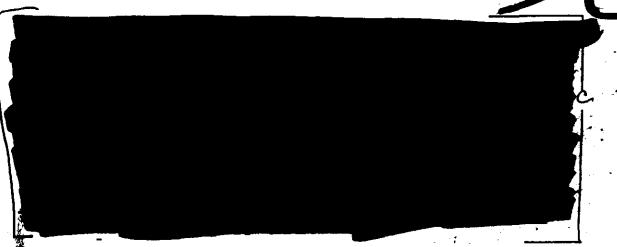
There is no central index, file, or document listing surreptitious entries conducted against domestic targets. To reconstruct these activities, it is necessary to raly upon recollections of Special Agents who have knowledge of such activities, and review of those files identified by recollection as being targets of surreptitious entries. Since policies and procedures followed in reporting of information resulting from a surreptitious entry were designed to conceal the activity from persons not having a need to know, information contained in PSI files relating to entries is in most instances incomplete and difficult to identify. X



ALL (L/1)

Reconstruction of instances of surreptitions entry through review of files and recollections of Special Agent personnel at PSIEQ, show the following entries since 1942:





- 16. Young Socialist Alliance, New York City. At least twelve entries, national and local offices, September, 1964, to July, 1966. (X)
- 17. National Committee to Aid Bloomington Students, Young Socialist Alliance, New York City. At least seven entries from September, 1964, to July, 1966.

White Hate Group

1. United Klans of America, Monroe, Louisiana. One entry in March, 1966.

A review of the above matters, together with recollections of Special Agent personnel at FBIHQ, has resulted in reconstruction of instances of surreptitious entry which are detailed in the following pages. These entries were conducted subsequent to January 1, 1966. It is noted that information concerning the identities of authorities at FBIHQ who approved entries was obtained from the files of our field offices. In this regard, the approving authority at FBIHQ as listed in each entry is the individual who called the field office to advise the activity was authorized. It is not known and cannot be determined from available records whether the individual who called the field office was the official who actually authorized the entry, or whether the authorization was made by an official other than the caller.



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- 1. February 11, 1966
- 2. Office in New York City
- Socialist Workers Party, National and New York Local;
 Young Socialist Alliance
- 4. Socialist Workers Party; Young Socialist Alliance
- 5. Search for information
- Information regarding correspondence, identity of membership, fund pledges, organizational activities, branch assignments, financial data, and participation of New York Local in antiwar movement.
- 7. None
- Recommended:
 Approved:
 Involved:

New York Supervisor
Authority not indicated in file.

New York Supervisor

SA

87

83

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9. FBIHQ file: 105-101357 New York file: SAC Folder 24, January 1, 1966, to June 30, 1966.



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Re: Surreptitious Entries

- March 4, 1966
- Office in New York City
- Young Socialist Alliance; Committee to Aid the Bloomington Students
- Young Socialist Alliance; Committee to Aid the Bloomington Students
- Search for information
- Information regarding activities, membership, objectives, organizers, and financial data
- 7. None
- Recommended: New York SAC Donald E. Roney;

New York Supervisor

Supervisor Fred J. Sammardner, FBIHO ybbroaeq: Involved: New York Supervisor

and SA

FBIRQ file: 105-101357

New York file: EAC Folder 24, January 1, 1966, to June 30, 1966



- March 6, 1966
- Motel room in Monroe, Louisiana
- Racial extremist group members
- Ku Klux Klan
- Search for organisational records
- Information regarding identities of Klan leaders and members in Louisiana, Klan officials, contacts, monthly reports, and financial records,

Monroe, Louisiana

took part in entry.

Recommended: Assistant Special Agent in Charge,

New Orleans Office, Joseph T. Sylvester, Jr., and Special Agent in Charge, New Orleans Office,

Robert E. Rightmyer.

FBIHO file indicates approval given Approved:

> New Orleans Office telephonically; however, the identities of approving authorities

were not located in file. and SA

Involved: BA

Monroe, Louisiana,

FBIRO file: 157-370

New Orleans files:

105-689

157-2836



- 1. March 18, 1966
- 2, Office in New York City
- 3. Socialist Workers Party, National and New York Local; Young Socialist Alliance
- 4. Socialist Workers Party; Young Socialist Alliance
- 5. Search for information
- 6. Information regarding finances and activities, branch reports, minutes of branch and committee meetings, membership addresses and changes, correspondence regarding antiwar movement activities
- 7. None
- 8. Recommended: New York BAC Donald E. Roney:

New York Supervisor

Approved: Involved: Inspector Joseph A. Bizoo, PBIHO.

New York Supervisor

and SA

9. FBIHQ file: 105-101357 New York file: SAC Folder 24, January 1, 1966, to June 30, 1966

CONFIBERTIAL

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Surrreptitious Entries

- April 22, 1966
- Office in New York City
- Socialist Workers Farty, National and New York Local; Young Socialist Alliance
- Socialist Workers Party; Young Socialist Alliance
- Search for information -
- Information regarding branch reports, membership and finances, addresses of national and international Trotskyites, registration activity, recruits and finances.
- None 7.
- Hew York SAC Donald E. Boney:

New York Supervisor

Inspector Joseph A. Blaco, FBIRO. Approved: Involved:

New York Supervisor

the SA

FBIHO file: 105-101357 New York file: SAC Folder 24, January 1, 1966, to June 30, 1966





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FBI/DOJ

- July 1, 1966
- Office in New York City
- Mational Headquarters, Young Socialist Alliance; Committee to Aid the Bloomington Students
- Mational Meadquarters, Young Socialist Alliance; Committee to Aid the Bloomington Students
- Search for information
- Information regarding assignments, transfers, problems, organizers, members, objectives, and financial statements
- None

Recommended:

New York SAC Donald E. Roney;

New York Supervisor

Approved:

Inspector Joseph A. Sizoo, FBIHQ.

New York Supervisor

BA BA

and SA

FBIHQ file: 105-101357 New York files: SAC Folder 24, January 1, 1966, to June 30, 1966

SAC Folder 25.





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FD-36 (Rev. 2-14-74) 10/24/75 Transmit the following in (Type in plaintest or code) AIRTEL (Precedence) TO: DIRECTOR, FBI SAC, WFO (66-779) NE FROM: REQUEST OF ATTORNEY GENERAL FOR INFORMATION CONCERNING SURREPTITIOUS ENTRY Re Bureau teletype to WFO, 10/15/75 Responses to questions in referenced teletype appear below. It should be noted that each installation requires a survey and in those instances where they were done the same date or simultaneously, the authority permitted survey and installation, if feasible, at the same time. date of installation is the date installation was completed and no entry made after that date. In number 4 below, entry extended over approximately four weeks time, but installation was not considered complete until external circuits were in and the whole installation was operable. REC 68 OCT 30 1975 Categories 2 and 3 Exempt from Date of indefinite Bureau



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WFO 66-779

SICKET

(4)(1)

Concerning numbers 9 and 10 above while the participating personnel are not identified in the file it is believed there are sufficient personnel still in WFO so that they could be identified by interview if Bureau so desires.



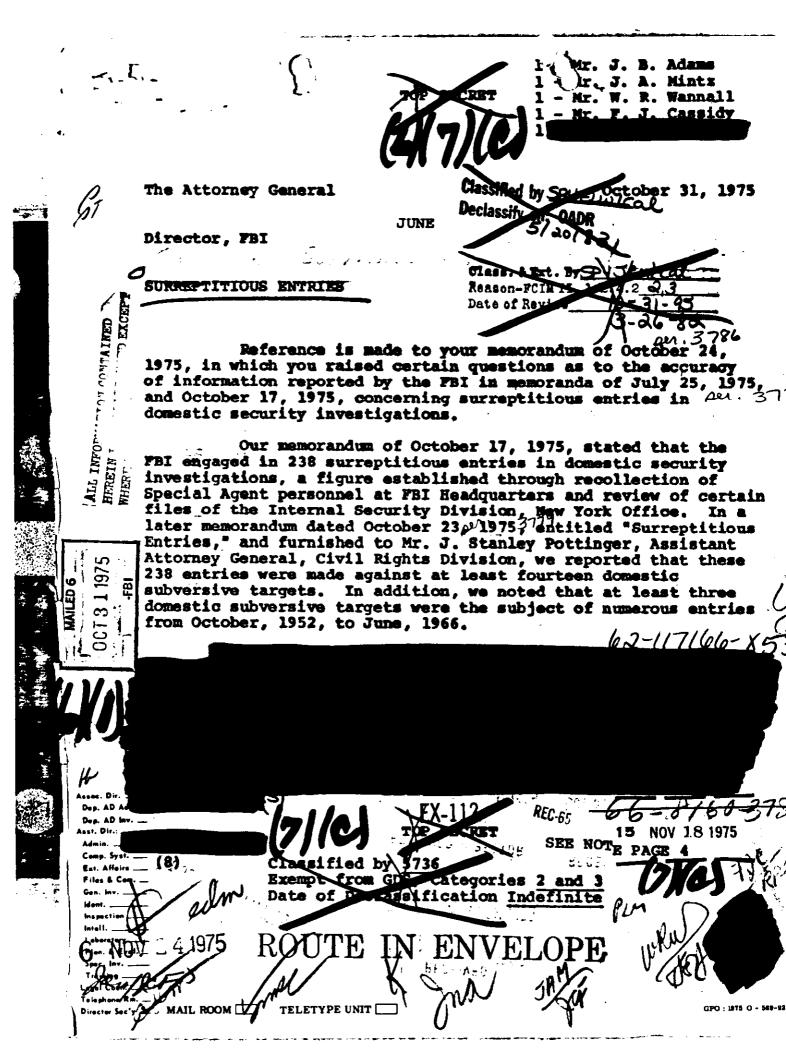






FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

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The Attorney General

Since preparation of the July 25 memorandum, and as a result of further review of records at FBI Headquarters (FBIHQ) and in the field, we have identified seven domestic targets in addition to those reported previously. Information regarding these entries, including details with respect to all entries conducted subsequent to January 1, 1966, has been furnished to Mr. J. Stanley Pottinger, Assistant Attorney General, Civil Rights Division, by memorandum of October 23, 1975, entitled "Surreptitious Entries."

With respect to information paraphrased by you from our memorandum of July 25, your interpretation appears to be accurate; however, we would like to make the following observations to clarify certain points:



Paragraph 2, page 2, states that despite directives of Director Boover, surreptitious entries to collect information were conducted in a limited number of cases since 1967 with

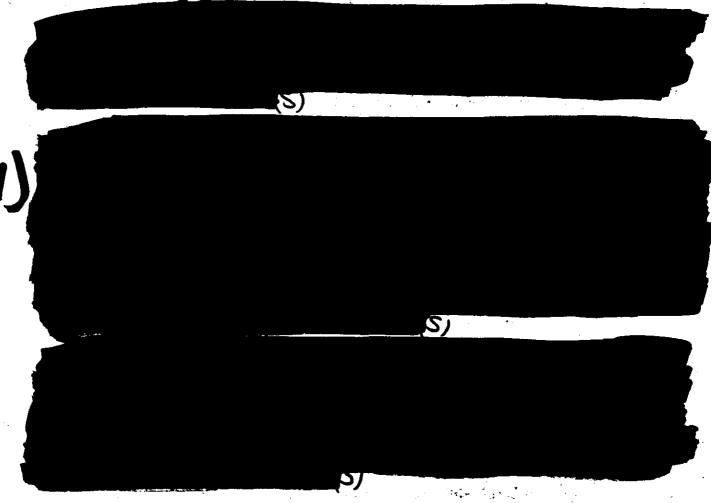




The Attorney General

approval of the Attorney General. You note that in some instances, entry was made for the purpose of placing a microphone surveillance, but that during entry various materials were observed or photographed.

Our records show no indication that the Attorney General approved any surreptitious entry other than those for the purpose of installation of authorized microphone surveillance.



Your statements are accurate with respect to the final paragraph, page 2, relating to surreptitious entries into foreign establishments in the United States.



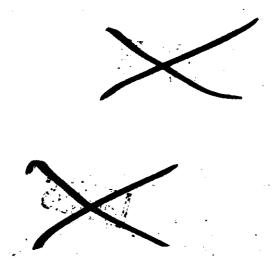


The Attorney General

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Referenced 18/24/75 memorandum of AG to Director wherein AG raises questions as to statements made in FBI memoranda of 7/25/75 and 10/17/75. Additional targets of entries in domestic security investigations were discovered in the General Accounting Office audit of the Internal Security Division, New York Office. AG's memorandum paraphrases our July 25 memorandum; however, certain interpretations made by AG are being clarified in this memorandum to AG.







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_	Page(s) referred for consultation to the following government agency(ies);
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ALL (6/17/10)

- Mr. J. A. Mints - Mr. W. R. Wannall F. J. Cassidy

Assistant Attorney General Civil Rights Division

November 14, 1972

Director, FBI

Reference is made to your letter of August 19 in which you requested information concerning surreptitious entries conducted by the FBI since January 1, 1966. Reference is further made to our memorandum of October 16, 1975, listing entries in connection with installation of authorized microphone surveillance.

Enclosed is the original and one copy of a memorandum dated November 14, 1975, listing entries conducted in connection with installation of microphone surveillance prior to authority of the Attorney General.

Enclosures (2)

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Referenced AAG memorandum of 8/19/75, requested information regarding entries since 1/1/66. By memorandum of 10/16/75, we furnished AAG a list of microphone installations, and feasibility surveys made at same time as installation, which were made subsequent to our receipt of AG authority to conduct a microphone surveillance. We advised AAG in the 10/16/75 memorandum that inasmuch as installation and survey entries occurred subsequent to AG authority we were not, at that time, furnishing identities of personnel involved. We also advised AAG that a separate memorandum, relating to surveys and installations conducted prior to AG authority, would be prepared including, where available, identities of personnel involved. Enclosure represents surveys conducted independent of and before installation, and prior to AG authority for microphone surveillance. In addition, included are two instances of microphone installation made prior to AG authority. Minville 11

Ext. Affair

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ALL

J. B. Adams . J. A. Mintz W. R. Wannall P. J. Cassidy

JUNE

Reference is made to the August 19, 1975, letter of J. Stanley Pottinger, Assistant Attorney General, Civil Rights Division, to Clarence N. Kelley, Director, PBI, wherein Mr. Pottinger requested certain information concerning surreptitious entries conducted by the FBI since January 1, 1966.

Mr. Pottinger requested the following information regarding surreptitions entries:

The date of the entry.

The location and nature of the premises entered.

The identity of the person whose premises were entered as well as pertinent information about the person.

Any organization or group, if any, which was the target of the investigation in which the entry occurred.

The specific purpose of the surreptitious entry.

The nature of the information and materials obtained.

The identity of any other organization, governmental or private, that prompted the entry, or participated in the planning or execution of the entry.

The identity of all FBI personnel who took part in the entries, and any person who approved or recommended such an entry.

The identification number of the case file(s) from which information about the entries be obtained.

Dee. AD Adm. _ Dep. AD In Asst. Dir.: (8)

> ORIGINAL AND ONE COPY TO ASSISTANT ATTORNEY GENERAL

CIVIL RI CHTS DIVISION NOV 19 1975

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Re: Surreptitious Entries

When a Special Agent in Charge (SAC) of a field office considers electronic surveillance necessary and justified in the conduct of an investigation, a recommendation is made to FBI Headquarters (FBIHQ) that a survey be conducted to determine the feasibility of installation of the surveillance. Prior to September, 1974, feasibility surveys, some of which involved trespass, were authorized by FBIHQ. In some instances, surveys involved surreptitious entry; however, not all surveys necessitated physical entry or trespass. In many cases, survey and installation were effected at the same time to avoid additional entry and to insure greater security to the operation. Where installations were made prior to authority of the Attorney General, activation of electronic devices was not effected until the Attorney General authorised the surveillance.

Since September, 1974, the FBI has followed a policy of requesting authority of the Attorney General to conduct feasibility surveys in cases where trespass is necessary to effect the survey.

Following is a list of surreptitious entries in connection with feasibility surveys and microphone installations which were made prior to authorisation of the Attorney General:





Surreptitious Entries

- November 18, 1978
- Residence in Oakland, California

C

- Black extremist group functionary
- Black Panther Party
- Survey for microphene installation*
- None
- None
- Recommended: Robert E. Gebhardt Ran Francisco Office;

Approved:

Inspector Joseph A. Sizoo, FBIHQ.

4(7)(C)

Involved:

Special Agent (SA)

FBIHQ file: 105-165706 San Francisco file: 157-1203

*Microphone installation authorized by Attorney General on November 20, 1970; installed on December 22, 1970.



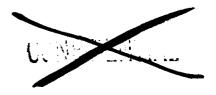
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2	Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.
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	Document(s) originating with the following government agency(ies), was/were forwarded to them for direct response to you.
_	Page(s) referred for consultation to the following government agency(ies);
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UNITED STATES Memorandum1-Mr. Adams 1-Mr. Mintz 1-Mr. Wannall Mr. W. R. Wannall DATE: 11/20/75 1-Mr. Branigan JUNE 1-Mr. Mignosa l<u>-Mr. Cassidv</u> SUBJECT: SURREPTITIOUS ENTRIES To advise of a 11/11/75 request (attached) of Assistant Attorney General (AAG) J. Stanley Pottinger. Civil Rights Division, for information concerning entries conducted in two foreign counterintelligence (CI) matters; to provide background concerning previous dissemination of (c) information about these cases to the Department; and to solicit remarks of Legal Counsel as to our response to the Department. 62-117166-x51 It would appear we are obligated to accede in some manner to the Department's request with respect to review of these two files; however, it is felt that in the interests of T) ENCLOSUES Enclosure DEC 3 1975 ALL INFORMATION CONTAINED - 105-203076 HEREIN IS UNCLASSIFIED EXCEPT - 65-74117 THERE SHOWN CINERWISE. CONTINUED (10)LEGAL COUNSEL DIVISION ADDED ROUTE IN ENV Bay U.S. Savings Bonds Regularly on the Payroll Savings Plan

Memorandum to Mr. W. R. Wannall Re: Surreptitious Entries



security of our files, and the setting of precedent with respect to review of these raw files, we should establish procedures or guidelines as to access for review by the Department.

It is noted that in connection with review of certain Cointelpro files, the Department was provided limited access, at FBI Headquarters, for their inquiry.

RECOMMENDATION

That the Legal Counsel Division furnish its observations with respect to Departmental access for review of the aforementioned files in the field and at FBI Headquarters.

JCF

ADDENDUM: LEGAL COUNSEL DIVISION

It is the Legal Counsel Division's judgment that limited access to our files should be made available to Departmental attorneys to review these files at FBI Headquarters. In those situations in which a copy of the pertinent field office file is not also filed at Headquarters, it is suggested that consideration be given to having the field furnish a copy of the pertinent record to FBI Headquarters. In this manner a centralized coordination of access to our files can be maintained. Precedent to such action has already been set in connection with Departmental attorneys reviewing our files in connection with Freedom of Information Act appeals.

ALL 6/11,6/17/10)



Civil Rights Division

December 1, 1975

Director, FBI

JUNE

- Mr. S. S. Michosa

Mr. J. A. Mintz - Mr. W. R. Wannall

Date of Revie

Reference 18 made to your letter of August 1975, in which you requested information concerning surreptitious entries conducted by the FBI since January 1, 1966. Further reference is made to my memorandum of October 23, 1975, outlining entries against domestic targets. 3779

Since preparation of my October we have located in our files evidence of an October 27, 1963. entry into the offices of the Fair Play for Cuba Committee (FPCC), New York City. The FPCC was a pro-Castro group whose aims included promotion of "the truth about revolutionary Cuba, " and which, through two of its organizers, obtained funds from the Cuban Government to support certain aspects of the group's operations. A review of pertinent records has shown the following with respect to this entry: A

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Annt, Dir.:

DEC 5 1975

our new York Office advised on October that plans had been made to conduct an October 27 into FPCC offices New York's file shows was prepared by Special Agent (SA

approval to conduct the entry, and that approval was given by Assistant Special Agent in Charge (ASAC) Joseph Schmit. Although there is no indication approval was sought and obtained on a higher level than ASAC Schmit, the usual procedure dictated approval would be granted by FBIHQ

SEE NOTE PAGE 2

Assistant Attorney General Civil Rights Division



Our files show entry was made on October 27, 1963, into FPCC offices at 799 Broadway, Room 329, New York City. Information relating to current finances and general activities of the FPCC

was obtained from FPCC offices.
There is no record in New York files showing the identities
of personnel taking part_is; the entry.

NOTE:

In response to AAG letter of 8/19/75, we have furnished to the Civil Rights Division several memoranda concerning surreptitious entries conducted in foreign counterintelligence, internal security, and intelligence collection investigations. In connection with another matter, a review of memoranda by Deputy Associate Director Adams, concerning the Oswald investigation, disclosed the possibility of the FPCC entry detailed above. Instructions were received from Mr. Adams: office to bring this matter to the attention of AAG, Civil Rights Division.



MAY 1962 EDITION GSA FF-M (41 CPU 381-11.6 UNITED STATES GOVERNMENT 1-Mr. Mintz Des. AD inv. $oldsymbol{1} emorandum$ Asst. Dir.: 1-Mr. W. R. Wannall 1-Mr. W. A. Branigan Comp. Syst. Ext. Affaire W. R. Wannall <u>1</u>2/3/75 1-Mr. S. S. Mignosa FROM J. Cassidy Cassidy Logal Coun Plan. & Eval SURREPTITIOUS ENTRIES JUNE Reference 11/20/75 memorandum, F. J. Cassidy W. R. Wannall, captioned as above, concerning request of Assistant Attorney General J. Stanley Pottinger, Civil Rights Division. to review FBIHO and field office files in matters. This is to advise of a December 2 conversation between Mr. William L. Gardner. Civil Rights Division, and Intelligence Division (INTD). On December 2, Mr. Gardner indicated the Department's Civil Rights Division would like to begin review of the materials noted in the Pottinger memorandum of 11/11/75 (copy furnished with referenced 11/20/75 memorandum). The Departmental review will take place at a yet undesignated location within FBIHQ, possibly Room 4171, where Senate and House Select Committee staff personnel have conducted reviews in the past. It is desired that review begin on or about December 8 or 9, 1975. For the present, review will be limited to FBIHO files and, as noted in the Pottinger memorandum, "any and all information, materials, documents, etc., physically maintained by the Bureau, whether in files or not, pertaining to the entries..."; however, if necessary, field office files may be reviewed, possibly at the field office, by representatives of the Civil Rights Division. The Legal Counsel Division has advised that Departmental attorneys should have limited access to our files at FBIHC, and further, where pertinent documents are not included in the FBIHO file but are located in the field, copies might be forwarded from the appropriate field office 1 - 105 - 2030761 - 65 - 74117T-111 (9)CONTINUED - OVER

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Memorandum to Mr. W. R. Wannall Re: Surreptitious Entries



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It is recognized that both files, particularly the matter, may contain information tending to disclose the identities of sensitive sources or methods, or contain material not relevant to the Departmental inquiry. Mr. Gardner was advised that in the event material is excluded or deleted prior to Departmental review, Departmental attorneys would be advised of the nature of the material withheld as well as the justification therefor. Should a problem arise from any exclusion, we will resolve the matter with the Attorney General.

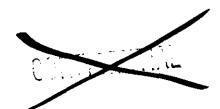
RECOMMENDATIONS:

and CI-1 and CI-3 Sections should review the and files, respectively, to determine what information, if any, should be excluded from the files prior to Departmental review. Inasmuch as the Department has indicated its desire to review these files at an early date, CI-1 and CI-3 should handle this review as expeditiously as possible.

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2. On completion of the recommended review, CI-1 and CI-3 should notify so that necessary arrangements can be made to have Departmental attorneys proceed with their review.

Will Free



Memorandum

Mr. W. R. Wannall

FROM F. J. Cassidy

SURREPTITIOUS ENTRIES

1 - Mr. J. A. Mintz

- Mr. W. V. Cleveland

- Mr. R. J. Gallagher 1 - Mr. W. R. Wannall

12/8/75

- Mr. W. A. Branigan

- Mr. S. S. Mignosa

Mr. F. J. Cassidy

JUNE

To advise of the December 2, 1975, memorandum from Assistant Attorney General J. Stanley Pottinger, Civil Rights Division, requesting certain information concerning surreptitious entries conducted by the FBI. A copy of the memorandum is attached.

By memorandum of November 14, captioned as above, we furnished to the Department at their request certain information concerning entries conducted (in cases handled by the Intelligence Division) in connection with installation of electronic surveillances. The Civil Rights Division has now requested to review six matters detailed in that November 14 memorandum. Those cases are noted on the attachment for Sections CI-1 and CI-3, INTD. Mr. Pottinger's request asks for FBIHQ and field office files, as well as any material in file or not relating specifically to the entries.

On December 2, Mr. William Gardner, Civil Rights Division, indicated the review would be confined for the present to files at FBIHQ; however, if necessary, arrangements would be made to review appropriate files in the field offices, or review documents transmitted to FBIHQ from the field,

The Department would like to begin its review of the six matters noted in the attachment at the earliest opportunity. Accordingly, arrangements should be made to obtain and review files as expeditiously as possible.

Items 20 through 23 of Pottinger's request apply in part to entries conducted in connection with electronic surveillance installations pursuant to Title III. Those questions will, therefore, be applicable to policies and procedures of the General and Special Investigative Divisions.

I₽ DEC **19** 1975

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Memorandum to Mr. Wannall Re: Surreptitious Entries

ACTION

1. CI-l and CI-3, INTD, should obtain and review files within their respective Sections. It is suggested that files might be reviewed to insure the identities of sources are properly concealed, and that justifiable exclusions are made. Where exclusions are made, we should be prepared to identify the nature of material excluded. Any differences during Departmental review will be resolved with the Attorney General.

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2. The General and Special Investigative Divisions should review the attached memorandum, specifically those items underscored, and where appropriate furnish responses as expeditiously as possible to the Department.

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OFTIONAL FORM HO, 16 MAY 1942 EDITION GSA FFMR (4) CFID 101-11,6 UNITED STATES GOVERNMENT

Memorandum

Mr. W. R. Wannall

1-Mr. J. A. Mintz I-Mr. J. Cochran. Jr. 1-Mr. W. R. Wannall

DATE: 12/9/75

Cassidy

TO

F. J. Cassidy 📳

JUNE

SUBJECT:

SURREPTITIOUS ENTRIES

To advise of the 12/2/75 memorandum from Assistant Attorney General J. Stanley Pottinger, Civil Rights Division, requesting certain information concerning surreptitious entries conducted by the FBI. A copy of the memorandum is attached.

The Pottinger memorandum references exchanges of memoranda between the Department and the Bureau which concern surreptitious entries conducted in connection with installation of electronic surveillances, foreign counterintelligence, internal security, and intelligence collection investigations. The Department has now requested to review certain files wherein entries were conducted, and, in addition, requests certain memoranda, guidelines, etc., dealing with policies and procedures, written and verbal, in connection with surreptitious entries, break-ins, physical intrusions, etc.

06-8161-The General Investigative, Special Investigative and Intelligence Divisions are taking steps to respond to questions set forth in the 12/2/75 memorandum as they apply to their respective areas of investigation. DEC 16 1975

The Department has not indicated by deadline when they expect a response to their request; however, It is believed an early response would be anticipated.

RECOMMENDATION:

The Legal Counsel Division and the Laboratory Division are requested to review the attached 12/2/75 memorandum, Items 20 and 23, and furnish, where available, any material responsive to the Departmental request to Supervisor H. W. Porter III, IS-3. Intelligence Division, who will coordinate response to the Department.

Enclosure

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- -	Page(s) referred for consultation to the following government agency(ies); as the information originated with them. You will be advised of availability upon return of the material to the FBI.
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×	The following number is to be used for reference regarding these pages:



1 - Mr. Cochran $\it Aemorandum$ 1 - Mr. Harward l - Mr. Mortimer DATE: 12/11/75 Mr. Wannall JUNE SURREPTITIOUS ENTRIES SUBJECT: Reference F. J. Cassidy memorandum to you dated 12/9/ advises of the request contained in Assistant Attorney General Pottinger's memorandum to the Bureau dated 12/2/75 concerning captioned matter, and asks the Laboratory to review Items 20 and 23 in the Departmental memorandum furnishing any material responsive to the requests in these items to Supervisor Porter, IS-3, INTD. There are no written instructions in the Laboratory Division relating to surreptitious entry in support of any type of investigative activity. To the best of my knowledge and that of pertinent current employees, the standing oral instructions in this Division with regard to approval of surreptitious entry have always been, and continue to be, personnel of the Laboratory will provide such support as is requested (manpower, technical quidance, and/or equipment) in those operations approved by the substantive Headquarters investigativ Division. /This instruction applies equally to operations with or without a warrant, surveys, or any other circumstance wherein this type investigative activity is concerned/ The Laboratory does not and to my knowledge has never undertaken any type of activity in this regard except with the specific concurrence and approval of the concerned FBIHQ Division. None. For information only.

ACTION:

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PFROM

1 - Mr. Wannall

1 - Mr. Mintz

- Mr. Cassidy

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Assistant Attorney General Civil Rights Division

December 18, 1975

Mr. J. B. Adams - Mr. J. A. Mintz - Mr. W. R. Wannall Mr. F. J. Cassidy

Director, FBI

SURREPTITIOUS ENTRIES

HEREIN E CONTRACTO DATE 3-26-82

DEC 19 1975

Reference is made to your memorandum of August 197 1975, requesting certain information concerning surreptitious entries conducted by the FBI since January 1, 1966, and to our memorandum of October 23, 1975, listing entries conducted against domestic targets.

In connection with our search of files and records in response to your inquiry into the Martin Luther King, Jr. matter, we have recently discovered a domestic target of surreptitious entry in addition to those reported in our memorandum of October 23. We are bringing this matter to your attention for whatever action is required by the Department.

Files of our New York Office sho period October 24, 1954, to January 21, 1964, there were 29 entries into the business office of Our records also show a March 27, 1965, entry into another office of REC- 45

At this time, we are taking no action to obtain further information concerning these entries since your request of August 19 asked for details on entries conducted since January 1, 1966. Complete details of these entries will, of course, be available to you in connection with your current inquiries into the Martin Luther King, Jr., matter.

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NOTE:

Information relating to entries conducted into business office was developed through an inventory or files conducted by the New York Office. This review of files is being conducted in response to a Departmental request for information concerning Martin Luther King, Jr.

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UNITED STATES GOVERNMENT

Memorandum

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DATE: December 19, 1975

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FROM : R. J. McCarthy

TO

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SUBJECT: SURREPTITIOUS ENTRIES

Reference is made to the memorandum of F. J. Cassidy to W. R. Wannall dated December 8, 1975, and my memorandum to you dated August 21, 1975, both captioned as above.

Referenced memorandum of August 21, 1975, contained a review of all surreptitious entries supervised by the Special Investigative Division since 1966. Ninety-one such entries were detailed, all of which were conducted under the provisions of Title III of the Omnibus Crime Control and Safe Streets Act of 1968 for the purpose of installing electrohic devices for the interception of oral communications.

Question 20 contained in the request from J. Stanley Pottinger dated December 2, 1975, and attached to Mr. Cassidy's referenced memorandum, requested all written memoranda, guidelines, procedures, etc., authorizing surreptitious entries and break-ins which have been in deffect since 1970. The Special Investigative Division has issued no such instructions inasmuch as all entries since 1970 have been conducted under the provisions of Title III of the Omnibus Crime Control and Safe Streets Act of 1968. As stated in my memorandum of August 21, 1975, all entries were made for the purpose of installing electronic devices and no entries were made prior to the issuance of a court order. The Title III process is a joint effort between the local United States Attorneys, or the Strike Force Attorneys, and FBI personnel and all procedures relative to installing these devices are prescribed by law and are monitored by the local United States Attorney or Strike Force Attorney.

1 - Mr. Gallagher

1 - Mr. Mintz

1 - Mr. Wannall

1 - Mr. Branigan

1 - Mr. Mignosa

1 - Mr. Cassidy

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1 - Mr. Pilley

1 - Mr. Cleveland

- Mr. McCarthy CCN

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Memorandum to Cleveland Re: Surreptitious Entries

In regard to question 21 of referenced memorandum dated December 8, 1975, all requests to the Attorney General for the installation of electronic devices since 1970 have been in the form of Title III applications. These applications are reviewed for sufficiency of probable cause and are either authorized by the Attorney General or returned for further development of probable cause. As a result, it is difficult to maintain an accurate record of instances since 1970 when the Attorney General permission for the installation of listening devices was denied. On numerous occasions, Title III applications sent to the Department of Justice have remained there for many weeks with no action being taken, thereby negating the recency of the probable cause and requiring the submission of a new affidavit updating the previous information or targeting new individuals and locations. It is pointed out, however, that no entries into premises were conducted prior to the decision of the Attorney General and the obtaining of the appropriate court order.

In regard to question 22, no pre court order surveys have been conducted in relation to any Title III microphone installations supervised by the Special Investigative Division. In those instances where microphones have been installed, the initial entry was not conducted until the issuance of the court order and, if no microphone installation was possible, it was not installed.

In regard to question 23, no written cr oral instructions have been furnished to the field in regard to surreptitious entries in connection with the installation of Title III microphones. As has been pointed out in the answer to question 20, procedures are prescribed by law and monitored by the local United States Attorney or Strike Force Attorney.

ACTION:

That this memorandum be routed to the Intelligence Division which is coordinating the Bureau's reply in this matter.

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UNITED STATES GOVERNMENT ALL CAPTICO Memorandum 8-4 Allala **Kallagher** DATE: 12/30/75 - Mr. Gallagher FROM - Mr. O'Connell meall. - Mr. Cooke SURREPTITIOUS ENTRIES Wannall Director Sec'y F. J. Cassidy to Mr. Wannall memorandum dated 12/8/75, attached, requests General Investigative Division (GID) review Departmental letter from J. Stanley Pottinger dated 12/2/75 in connection with electronic surveillance installations, pursuant to Title III. The memorandum requests we furnish appropriate responses to the Intelligence/ Division in connection with items 20 - 23 of Pottinger's letter. In attached R. J. McCarthy to Mr. Cleveland memorandum dated \$/21/75, the Special Investigative Division/ (SID) advised that from January, 1966, up to that time, there had been six surreptitious entries conducted in connection with investigations handled by GID. these entries were under authority of court order in accordance with Title III of the Omnibus Crime Control and Safe Streets Act of 1968, and were undertaken for the purpose of installing electronic devices for the interception of oral communications. In each instance, at the conclusion of the court-authorized period of interception, a second entry was made for the purpose of retrieving the electronic device. Since the 8/21/75 memorandum, one additional surreptitious entry was conducted in accordance with Title III in Kansas City, Missouri, based on court order dated 10/23/75, with installation 10/23/75 and date of discontinuance 11/12/75. Renewal for this interception was granted by court order 11/26/75, interception commenced 11/26/75 and was discontinued 12/10/75. The location in both instances was the same and the nature of the premise was business. Question 20 of Mr. Pottinger's memorandum requests all written memoranda, guidelines, procedures, instructions for documents which outline the policies and procedures respecting authorization by Bureau officials for Agents to conduct surreptitious entries, break-ins, or physical intrusions into premises since 1970. GID has issued no Isuch instructions, inasmuch as each entry since 1970 has been conducted under the provisions of Title III of the Enclosures CONTINUED 50VER 2 1976

Memorandum to Mr. Gallagher RE: SURREPTITIOUS ENTRIES

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Omnibus Crime Control and Safe Streets Act of 1968. All entries in the above instances were in accordance with this Federal Statute. GID notes Title III is a cooperative effort between local U. S. Attorneys' Offices or Strike Force Attorneys, and is carried out in strict compliance with provisions established under this Federal Statute.

Question 21 requests list of surreptitious entries conducted by Bureau personnel for installation of microphone or listening devices since 1970 when Attorney General permission for the installation was denied. In each instance of a request from the Field for installation of electronic devices in accordance with Title III installation, each application is thoroughly reviewed for sufficiency and forwarded to the Department of Justice requesting approval. In some instances, a time lag occurs and the current nature of probable cause on which affidavit is based needs updating. Therefore, applications for Title III, dealing with installation of electronic devices, are either approved by the Department or returned to develop more probable cause. GID does not maintain a record of instances where permission to install listening devices is denied by the Attorney General. However, no authorization is given in any instance by GID to enter premises prior to a specific, positive decision by the Attorney General and the obtaining of an appropriate court order.

Question 22 asked us to furnish a list of all surveys (entries made to survey the feasibility of installation of a microphone or other surveillance) made since 1970 involving entry which did not result in the Bureau's requesting permission of the Attorney General. No entries are known to have been made prior to court order to conduct surveys in connection with any Title III installation supervised by GID. In each instance where installation of microphone was carried out, entry was not conducted until issuance of specific court order.

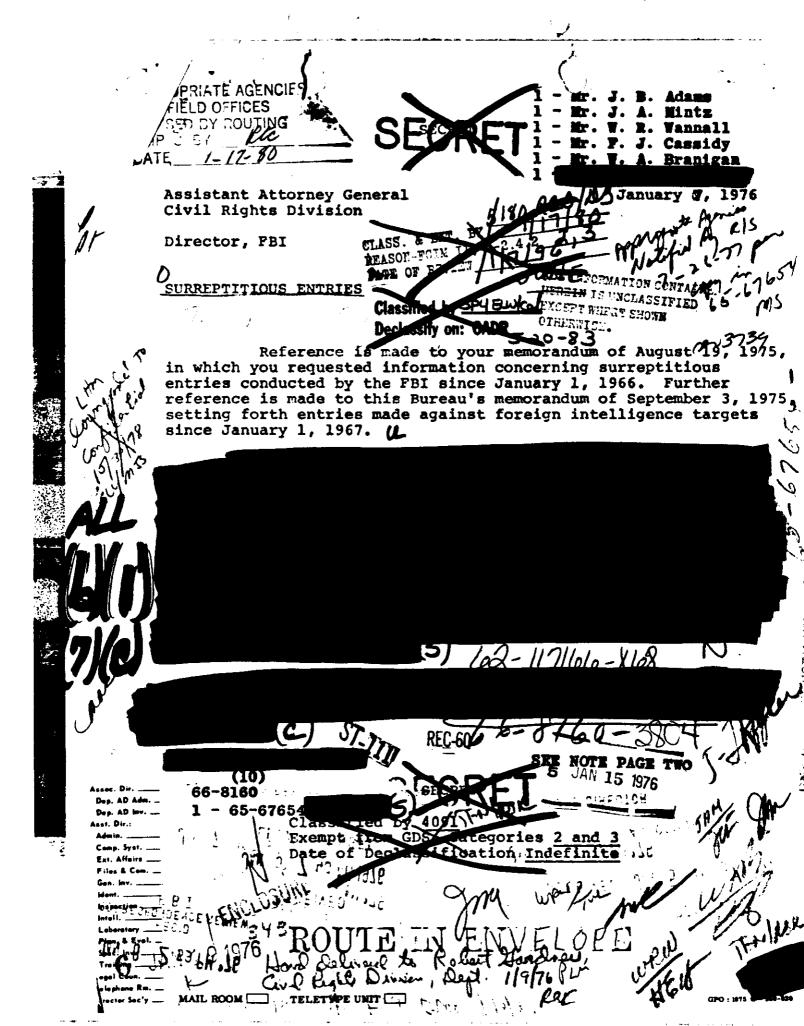
Question 23 requests copies of all written memoranda, documents, instructions, guidelines or procedures governing the procedures and policies to be followed when

Memorandum to Mr. Gallagher RE: SURREPTITIOUS ENTRIES

Bureau officials authorize Agents to conduct entries. GID has issued no written or oral instructions to the Field in regard to surreptitious entries in connection with Title III microphones. The only procedures followed are those specifically described by law and monitored by local U. S. Attorneys or Strike Force Attorneys, and are based on court orders.

ACTION: That this memorandum be furnished to Intelligence Division per their request.

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Assistant Attorney General Civil Rights Division

As the information being furnished in the enclosed memorandum concerns a sensitive, ongoing operation in the foreign counterintelligence field and involves sensitive sources, the compromise of which would have an adverse effect on our coverage of a hostile intelligence service, it is requested that this information be handled on a strict need-to-know basis.

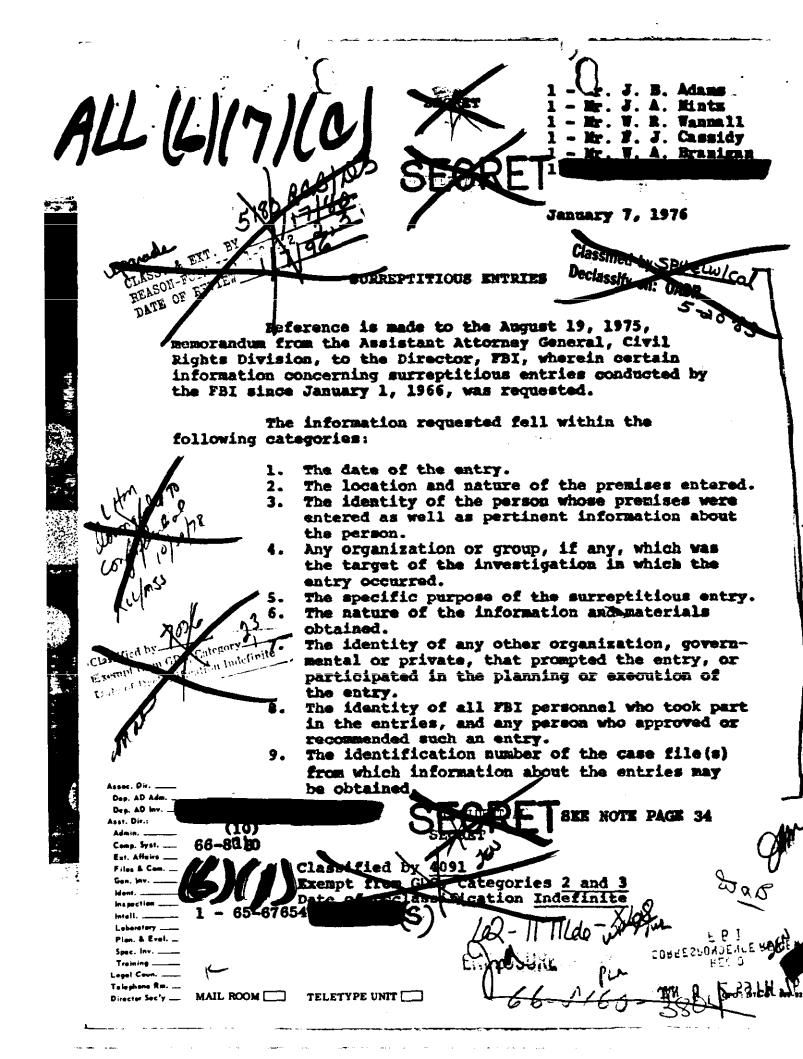
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SEC CONT.

Re: Surreptitious Entries

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NOTE:

See memorandum to AAG, Civil Rights Division. dated 1/8/76, captioned as above, prepared by

6/17/10

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FROM F. J. Cassidy SUBJECT:

UNITED STATES GOVERNMENT

Memorandum

Mr. W. R. Wannall Wellin

1 - Mr. J. B. Adams

1 - Mr. E. W. Walsh 1 - Mr. J. A. Mintz

1 - Mr. W. R. Wannall

Dep. AD Inv. .

Asst. Dir.:

Eut. Affales

DATE: 1/13/76

1 - Mr. W. A. Branigan

JUNE

SURREPTITIOUS ENTRIES

To recommend that FBIHQ Supervisor be authorized to travel to the New York Office in connection with a Departmental review of certain files within that Division.

Memorandum F. J. Cassidy to Mr. W. R. Wannall, Décembér 8, 1975, entitled "Surreptitious Entries," advised of the Civil Rights Division's pending review of certain files concerning matters wherein surreptitious entries were conducted by the FBI. Copy of this memorandum attached for information.

Also attached is a self-explanatory copy of a December 2, 1975, letter from J. Stanley Pottinger, Civil Rights Division, requesting information and materials relating to case files wherein surreptitious entries were In connection with the Civil Rights Division's current review of files at FBIHQ, Mr. William L. Gardner, Departmental Attorney, advised on January 12, 1976, that he would like to review New York file 65-25653 (Bureau 65-74117)

at the New York Office, beginning on January 21, 1976.

(02-//7/60-X/09

Mr. Gardner recently reviewed Bureau file 65-74117 at FBIHQ, under the guidance and with the counsel of Supervisor In view of Supervisor familiarity with this file, and his previous coordination with Mr. Gardner, it is suggested that the New York Office to prepare the file there for Departmental review. Inasmuch as the field office file will be much more extensive than the file at FBIHQ, it is believed prior review by Supervisor will serve to avoid possible disclosure or compromise of the identities ofespecially sensitive sources mentioned in the file of 1976

Enclosures (3)

<u>65-74117</u>

(10)

MATERIAL ATTACHED

📻 JAN 50 1976

SEE ADDENDUM INTELLIGENCE DIVISION PAGE THREE

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HERE SHOWN OTHERWISE.

FEB



Memorandum to Mr. W. R. Wannall Re: Surreptititous Entries



Mr. Gardner has advised that at the present time no interviews of personnel involved in any entries are expected to be conducted.

It is being suggested that Supervisor travel to the New York Office on January 20, 1976, allowing sufficient time to review this file. It is further suggested that the remain with Mr. Gardner during the review to insure availability for consultation.

RECOMMENDATION:

l. That Supervisor CI-1 Section, be authorized to travel to the New York Office on January 20, 1976, to prepare New York file for Departmental review on the following day, and further, that the Department's representative during the review.

2. If approved, the attached airtel, advising New York of the pending review, be sent.

WASS

West

M







Memorandum to Mr. W. R. Wannall Re: Surreptitious Entries

ADDENDUM: INTELLIGENCE DIVISION, 1/15/76



On January 14, 1976
advised Mr. Gardner that FBIHQ contemplated sending
Supervisor to the New York Office. one day in
advance of Mr. Gardner's visit, so that might
review the New York file to insure against possible
disclosure of the identities of sensitive sources mentioned
therein (such as Mr. Gardner expressed no
objection to our contemplated course of action.

Mr. Gardner has been advised that he will be made aware, during his review, of the nature and reason for any deletions or excisions. This is the practice followed during Gardner's review of files at FBIHQ over the past several weeks.

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J. B. Adams E. W. Walsh J. A. Mintz Airtel - Mr. W. R. Wannall 1 - Mr. W. A. Branigan Reason-FCIM 1/14/76 Date of Review | - 16-96 To SAC New York - Mr. F. J. Cassidy From Director FBI (66-8160) SURREPTITIOUS ENTRIES JUNE ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT Classified by Save Livical where shown otherwise. In preparation for review of the matter at New York, FBIHQ Supervisor will travel -to the New York Office on January 20, 1976. Supervisor will coordinate review of the file with the New York case agent and Mr. Gardner, and be available should questions arise during the review. Mr. Gardner has advised that at interviews are expected to be conducted of personnel involved in any entries. <u>- 65-74117</u> (12)NOTE: Assec. Dir. Des. AD Adm. _ See himorandum F. J. Cassidy to Mr. K. Dop. AD Inv. __ dated 1/13/76, captioned as above, prepared by 4sst. Dir.: recommending authorization of travel by to the New York Office. Ext. Affairs _ Files & Com. MAILED 4 JAN 16 1976 Deempt from CDS Category 2 Intell. Date of Da assidication Indefinite FELETYPE UNIT - ROHTE IN ENVISOPE STANK Director Sec'y ____